

TRIAL NOT COMMENCED

Jury to be Summoned in the McCue Case to Identify Jurymen.

THE PRISONER NOW CALM

Strong Pressure Brought to Bear on Captain Micajah Woods to Prosecute.

(Special to The Times-Dispatch.)
CHARLOTTEVILLE, Va., September 21.—Judge George W. Morris this morning sustained the plea of the counsel for the defense in the McCue murder case, and to-morrow morning at 10 o'clock a jury will be summoned to pass upon the fact of whether or not Mr. Henry L. Lyman, one of the members of the grand jury that indicted McCue, is a bonafide resident of the city of Charlottesville. This was practically the only development in the McCue case to-day, and the indications are that it will be some days before a date is fixed for the beginning of the real trial.

At 10 o'clock this morning, McCue appeared in court, and his demeanor was in great contrast to that of yesterday. Instead of violently weeping as he entered he appeared calm, cool and collected. He walked directly to his chair, sat down and entered into conversation with his counsel. His brother, Edward O. McCue, took his seat to the right of the accused man and his young son, J. William McCue, came over and kissed his father twice on the lips, before taking a seat on the other side of him.

Plea Withdrawn.

When court was convened, Mr. Harmon, of counsel for the defense, withdrew his plea of yesterday, protesting against the eligibility of Mr. Lyman and introduced a new one of "practical insanity." Judge Morris asked whether the same effect except that certain typographical errors were corrected. Mr. Frank Gilmer, the Commonwealth's attorney, then submitted a rejoinder in which he declared that the court should not be precluded from taking cognizance of the plea made by the defense, inasmuch as he, Frank Gilmer, stood ready to verify the fact that Mr. Lyman is a bonafide resident of Charlottesville and was a competent juror.

Mr. Harmon at once moved that this plea be excluded, stating that he was merely following the example set by the prosecution. Judge Morris asked whether he was prepared to give any reasons for this motion, and Mr. Harmon, after consultation with his colleagues, asked that they be excused for a few minutes for a conference. This was granted and the three attorneys left the courtroom and went to the office of Mr. W. H. Mann and Mr. S. C. White, who were gone. Mr. McCue seized the opportunity to weep, and for a few minutes sat with his face covered by his silk handkerchief. He soon recovered, however, and during the rest of the proceedings, sat quietly in his chair. Several persons in the court room were over to him, shook his hand and engaged in conversation.

Move to Exclude.

The counsel for the defense was absent for about ten minutes and upon their return, Mr. Harmon simply moved that the plea made by the prosecution be excluded. Asked again by Judge Morris whether he had any reasons for this motion, he replied that he did not consider it sufficient in law.

The judge did not entertain the motion to exclude, but immediately afterwards announced that in reference to the plea made by Mr. Harmon for a jury to decide the question of Mr. Lyman's qualifications as a grand juror, he would have a jury ready by 10 o'clock to-morrow morning. He then announced that this was as far as could be gone in the McCue case to-day. Mr. McCue spent about five minutes after this in court talking with friends and acquaintances, but was finally led away by the jailer. The court room to-day was almost as well filled as on yesterday, when McCue was first brought in, and a great majority of those present were substantial citizens of Charlottesville. In the gallery, there were a number of ladies, who watched the proceedings with interest, some of them having come a considerable distance to attend.

Want Captain Woods.

The interest in the case is on the increase, and the demand that Captain Micajah Woods be taken into the prosecution is gaining so in strength that it seems almost certain that he will be compelled to yield to the pressure being brought to bear upon him. The fact that the counsel for the defense proposes to put up a strong fight and will delay the trial of the case as much as possible is apparent, and considerable impatience over these tactics is being manifested among the people.

It is considered easy of proof that Mr. Lyman is a bona fide resident of Charlottesville and entitled to serve on the grand jury, and the plea that he is regarded solely as a dilatory move. A judicial decision on Mr. Lyman's place of residence was given some time ago, when the question of his tax assessment came up, and it was then decided by Judge Morris that he was a resident of Charlottesville and entitled to be taxed as such.

The defense, however, has attained its object in securing a jury for the trial of this point, and it is not regarded as likely that a date for the trial will be set before the last of this week.

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POARCH IS ACQUITTED

The Charge Against Him as a Fire-Bug Not Sustained.

NEGRO PREACHER TO ANSWER

Rev. J. W. Fishburne (Col.), to Stand Trial for Obtaining Money Under False Pretences.

(Special to The Times-Dispatch.)
PETERSBURG, Va., September 21.—In the Hustings Court this morning William Poarch was acquitted of the charge of burning a stable on Market Street, belonging to Judge W. H. Mann.

Poarch was arrested here during the latter part of August, shortly after the burning of the Mann stable, arraigned in the Mayor's Court on the charge of having started the fire, and sent on to the grand jury, by which he was indicted a few days ago.

To-day he pleaded not guilty, and was defended by Charles T. Lassiter, who demonstrated very clearly that the evidence against the prisoner was insufficient to convict.

Mr. Richard H. Mann, attorney for the Commonwealth, made able use of what evidence there was, but the jury, after a short deliberation, returned a verdict of acquittal, and discharged after a very few minutes.

REV. J. W. FISHBURNE'S TRIAL.
Rev. J. W. Fishburne, a colored minister from Trenton, N. J., who is under indictment in the Hustings Court of this city, on the charge of obtaining money under false pretences, and has been at liberty under a bond of \$1,000, has returned to Petersburg for his trial, which has been set for September 28th.

The Rev. Fishburne appeared here some time ago as an ecclesiastical land agent and disposed of properties in New Jersey, which failed to fulfill his description of them, according to the charge against him. He will be defended by Mr. Bernard Mann.

COMING GERMAN.

A large informal German will be given at the Country Club Friday night, which is being arranged by Mr. George Whitmore, of this city, and promises to be a great success.

Thalmer's Orchestra from Richmond, has been engaged for the occasion, and a surplus of men is already assured.

It is understood that a big riding tournament will be held at the Country Club on the 10th of November, which will be followed by a brilliant coronation ball to be given at Library Hall. The tournament and ball will be a great social event.

EIGHTEEN YEARS.

Phil Turner Sentenced for Shooting and Robbing Mr. Netherwood

(Special to The Times-Dispatch.)

CHESTERFIELD, Va., September 21.—The trial of the colored man, Phil Turner, for highway robbery, begun on yesterday in the Circuit Court, resulted in his being found guilty and sent to the penitentiary for eighteen years.

Most of the testimony for the Commonwealth was concluded yesterday, and the prisoner's side of the case was heard this morning. Turner himself being taken into the stand as the last witness. The evidence was all submitted before the dinner recess, and this afternoon was given to the argument of the case. The speaking was concluded and the case turned over to the jury by 10 o'clock. The jury, which consisted of Mr. Netherwood on July 15th, with which crime he was charged, and claimed that his only offense against the law was retaining in his possession money which did not belong to him and which he got hold of by chance.

Mr. Albin Netherwood was shot by some concealed person near his granite quarry in this county a short distance from Forest Hill Park, and relieved of a satchel containing upwards of eight hundred dollars in money. He could not identify the robber, and no one saw the occurrence. Phil Turner was arrested a few days after the robbery, and most of the stolen money was found in his possession. Nearly a month later the satchel taken from the scene of the shooting, a large silk bag, was found in the possession of Turner, the contents were evidently removed. The fact that Mr. Netherwood was so shocked by the robbery that he had to leave the county with the money without being seen made it difficult for the Commonwealth to positively identify him as the robber, and made an opening for a very plausible story on the part of the prisoner as to how he got possession of the stolen money.

His lawyer made good use of this missing link and worked ingeniously for the man's freedom, and to this fact was perhaps due the escape from the hangman's hand of the man who had been taken into the chain of circumstances. The evidence was so strong against Turner, however, that the jury gave him the next highest punishment to death. The theory advanced that the robbery might have been done by a party who had been concerned in the property and escaped, was refuted by the evidence that the gun found near the place of robbery, and from which the load of small shot was fired, belonged to a cousin of Turner's, who lived in his neighborhood.

John Darden (colored) will be tried to-morrow for murder, alleged to have been committed on the Seaboard Air Line Railroad near Bellwood's.

TIDEWATER SURVEY.

Confederates Not Satisfied With Arrangements at Reunion.

(Special to The Times-Dispatch.)

LYNCH STATION, Va., September 21.—The Tidewater engineers have located their line from the Southern Railway east of Leesville, a distance of nine miles, and have moved their camp towards bridge on Mr. H. W. Adams' place, near the junction of the Southern Railway east. Mr. P. Daddridge is in charge of the party.

The old Confederates are very much dissatisfied with the management of the reunion in Lynchburg last week.

The committee in charge refused dinners to every one who did not acknowledge himself unable to pay for his own. It is needless to say they had very few to feed.

JACK DILLARD CAPTURED.

Acknowledged That He Shot Officer J. J. Hall in Danville.

(Special to The Times-Dispatch.)

DANVILLE, Va., Sept. 21.—Jack Dillard, the negro outlaw, believed to be responsible for the wounded condition of Police Officer J. J. Hall, is reported to have been captured at Ridgeway, N. C., in a wounded condition. The negro was parading the town last night, and was arrested by the officer. He refused to accompany the officer, and threatened to shoot. The officer then opened fire.

He is said to have acknowledged that he is the man wanted here. He went under the name of Halston at Ridgeway.

Supreme Court.

(Special to The Times-Dispatch.)

STAUNTON, Va., September 21.—The proceedings in the Supreme Court of Virginia at Staunton to-day were as follows: Argument continued in the case of Hill and Allen vs. Commonwealth, from the Circuit Court of Botetourt county. Case Rilestone vs. Moore Lime Company, and Metropolitan vs. Commonwealth, were continued until the next term, the records of the cases not being printed.

Case Baugher vs. Commonwealth, the Circuit Court of Augusta county. Argued and submitted.

Argument was begun in the case of Rankin vs. Godwin, the Circuit Court of Augusta county. To be called is Trumbo vs. Funk, the Circuit Court of Rockingham county.

Fire on Big Ship.

(By Associated Press.)

NORFOLK, Va., September 21.—Fire which originated in the hold of the steamship Minnesota, of the Northern Pacific Line, while the ship, while loading coal at the Leavenworth Point pier here, was extinguished this evening.

The fire was caused by spontaneous combustion, and was discovered by an engineer. It occurred in a lot of coal that had been loaded at New London about midship.

Captain Trauberg to-night made the statement that the damage was not telling.

The Minnesota is a leading bunker coal here preparatory for sailing for Seattle. She carries a cargo of 6,000 tons of anthracite loaded at Philadelphia to-day.

The fire caused great excitement in the shipping district, and was only extinguished after desperately quick work by the ship's fire crew.

Pittsylvania Court.

(Special to The Times-Dispatch.)

CHATHAM, Va., Sept. 21.—In the Circuit Court Monday James Ferrell and James Turpin were convicted of house-breaking. Ferrell was sentenced to ninety days in jail, and James Turpin was fined \$25.

Edward Jackson confessed in one case of house-breaking and four cases of car-breaking. He was sentenced to four years of felony. Court will render decisions later. Adrian Jeffries was arraigned for house-breaking at Philadelphia to-day. He is a convict of one year in the penitentiary. James Turpin, for one case of car-breaking, was given one year in the penitentiary and immediately arraigned on the second charge of the same nature. This term will be devoted to criminal cases, which may last the greater part of this week.

A New Depot.

(Special to The Times-Dispatch.)

EMPORE, Va., Sept. 21.—The Atlantic Coast Line Railway will soon begin the erection of a new freight depot in Bedford. The old building, which has been in use for many years, is being replaced by a new one measuring forty feet in width and three hundred and sixty feet in length.

The new building will be quite an addition to the town, as it will be on the main thoroughfare and accessible to the business element of both Emporia and Bedford.

THE TOURIST WITHDRAWS

A New Boat to be Put on the Line to Petersburg.

(Special to The Times-Dispatch.)

NEWPORT NEWS, Va., Sept. 21.—It was announced here to-day that the steamer Tourist, which has been plying between Norfolk and Petersburg, will be taken off the line on September 27. The Tourist is a small boat, and is being replaced by a new line. Mr. F. V. Archer, who was purser of the Tourist, is in Philadelphia, negotiating for a new boat. It is understood that Mr. Archer is representing several business men, who have put up the necessary capital to start the steamer on the line.

The Petersburg steamer has not been paying institutions of late, but it is believed with a good boat on the line the business will be satisfactory. It is reported that the Malory line is preparing to let the contract for a big new steamship, to cost over \$50,000. Several of its liners overhauled and extensively repaired. The local yard will make an effort to land the contracts.

BEAUTIFUL DAHLIAS.

Take Westhampton car for Mark Thompson's Dahlia Farm, 15 acres in full bloom. At table decoration they are unsurpassed. Orders delivered in all parts of the city.

GOLDEN ROD WEDDING

Miss Ida Holden Rhodes the Bride of Dr. Thomas Allen Groover.

A BRILLIANT CEREMONY

Beautiful Decorations and Elegant Costumes—They Will Reside in Washington, D. C.

(Special to The Times-Dispatch.)

CARTERSVILLE, Va., September 21.—Standing under a large arch of golden-rod, with a huge bunch of the lovely yellow flowers just over their heads, Dr. Thomas Allen Groover and Miss Ida Holden Rhodes were married at 2:30 o'clock this afternoon.

For some time Cartersville society has been on the qui vive concerning this marriage, and many were the exclamations of delight as their eyes rested on this beautiful scene. The church was tastefully decorated with golden-rod and potted plants; the lamps with their yellow shades cast a mellow glow of softened light over the darkened church; and when the sweet strains of Lohengrin's march, beautifully rendered on the violin, by John Pierce, of Arvon, accompanied the organ by a sister of the bride, Mrs. W. E. Robinson, all eyes were turned to the door. First came the attendants in opposite aisles, viz: Miss Annie Mae Rhodes and Mr. James England, of Washington; Miss Janet Vinson, of Washington, D. C., and Mr. John Duke; next came the matron of honor, Mrs. Houston Crowder, walking alone; then through opposite doors came the bride leaning on the arm of her father, Mr. H. J. Rhodes, and the groom with his best man, Mr. Houston Crowder.

Passing through the two arches of golden-rod, they met at the altar and were made one while the violin and organ softly played "Hearts and Flowers."

The ceremony was impressively performed by the bride's pastor, Rev. Mr. Wingfield, and the soft, sweet strains of the music were changed, and the psalm of Mendelssohn's march broke forth in joyous melody. The bride looked extremely handsome dressed in a traveling suit of gun-metal silk, with hat and gloves, and carrying the lovely bouquet of bride's roses and maidenhair ferns, tied with white ribbon.

The matron of honor was dressed in her wedding dress of white organza, and was scarcely less radiant than two years ago, when she was herself a blushing bride.

The bridesmaids wore white silk mill and carried large bouquets of golden-rod. The church was filled with friends of the contracting parties, and among the guests from a distance were Miss Wynne, of Washington, D. C., and Mr. and Mrs. Houston Crowder, of Toana, and Mr. John Pierce, of Arvon.

The groom is a promising young doctor of Washington, and the bride is a charming daughter of Mr. H. J. Rhodes, of Cartersville, Va.

Many handsome presents testify to their great popularity. The bride is greatly beloved, and while rejoicing in her happiness, her many friends also grieve at her departure from their midst. After a trip through the Southern States, they will spend several weeks in Georgia, visiting the groom's father and other relatives before going to Washington, D. C., where they will in the future reside.

ELEGANT WEDDING.

Miss Love Virginia Baker Bride of J. McKenney Berry.

(Special to The Times-Dispatch.)

WINCHESTER, Va., Sept. 21.—A typical Virginia wedding took place at Albion, a short distance from town, at 8 o'clock this evening. The bride, Miss Love Virginia Baker, became the bride of Mr. J. McKenney Berry, of Washington. The ceremony was performed by the Rev. P. Leslie Robinson, of Middletown, according to the rites of the Episcopal Church, took place in the home of the bride's parents, Mr. and Mrs. B. West Baker, one of the most picturesque country places in this section. It was the beautiful and the social elite of the county. Winchester, and many other places assembled by the bride's father, Mr. B. West Baker, who was lavishly decorated and illuminated. The bride entered the parlor with her father, by whom she was escorted to the altar. The room was accompanied by her best man, Mr. William Henry Huntington, of Washington. The maid of honor, Miss Elizabeth Faulkner Love, of Winchester, preceded them. The ribbon girls were Misses Bessie and Alice. The bridesmaids were Misses Bessie and Alice. The ceremony was a brilliant reception was held, during which an orchestra played old Virginia melodies. Hospitality was dispensed with a lavish hand.

After a bridal tour the young couple will make their future home in Washington.

DUKE-TAYLOR.

Elegant Church Wedding at Wake Forest, N. C.

(Special to The Times-Dispatch.)

RALEIGH, N. C., September 21.—At Wake Forest this morning in the College Chapel, Miss Jane Elizabeth Taylor, daughter of Dr. E. Taylor, president of Wake Forest College, and Mr. William Daney Duke, of Richmond, Va., were married. The ceremony was performed by Dr. E. Taylor, assisted by Dr. George Braxton Taylor, of Hollins, Va.

The bridal party were Frank Turner Norvell, with Edwin Mason Picher; Miss Ada Lee Timberlake, with Miss Jessie Powell, of Wake Forest; Charles Ryland Burnett, of Richmond, with Charles M. Cooke, of Wilmington; Miss Harriet Dickinson, with Miss Cora Duke, of Richmond; Miss Mary Prichard Taylor, sister of the bride, maid of honor; best man, Lieutenant Thomas Taylor Duke, U. S. A. The bride was attended by her brother, Charles E. Taylor, Jr., of Wilmington, N. C. Miss Jessie Brewer, of Wake Forest, presided at the organ.

The bride is the daughter of President Taylor and has held a position of recognized social prominence in this and other States.

Mr. Duke is a general manager of the Richmond, Fredericksburg and Potomac Railroad, also the Washington and Southern Railroads and is prominent in Richmond, both in business and social circles.

A number of out-of-town guests were present for the wedding and an informal reception was tendered by the bride's parents.

Among the guests from a distance were: Mr. and Mrs. Francis J. Duke, Miss Cora DeJarnette Duke, Miss Lucy Duke, W. DeJarnette Taylor, Frank Mason Picher, Rev. M. Aubrey Jones, Charles Ryland Burnett and Ernest Moseley, of Virginia; Dr. George Braxton Taylor, Mr. and Mrs. Frank W. Duke, Miss Martha L. Cooke, Miss Leonora Cooke, of Hollins, Va.; Miss Jessie

Brewer, of Franklin, Va.; Miss Dickinson, of Richmond, Va.

The private car of Mr. Duke, on which he and his bride traveled, arrived in this city at 5:05 P. M. yesterday from Wake Forest, bringing also the Richmond party attending the wedding.

Among those who met the party at the Main Street Station were Major E. T. D. Myers and other officials of the railway; Mr. Meade T. Spicer, of the Chesapeake and Ohio Railway, and several other friends of Mr. Duke. Mr. and Mrs. Duke left via the Seaboard Air Line for the North.

ELOPEMENT.

Capt. J. G. Canada, of Manchester, Weds Miss Bettie Williams.

(Special to The Times-Dispatch.)

DANVILLE, Va., Sept. 21.—Captain J. G. Canada, a Seaboard Railway conductor, of Manchester, and Miss Bettie Williams, of this city, were married over the line this morning. The parents of the bride moved from the city last Saturday to Lunenburg county, since which time she has been visiting her sister, Mrs. Moses Thornton, on the Stokes road. The eloping couple left the city early this morning, returning this afternoon. Mr. and Mrs. Canada will make their future home in Manchester.

Surprise Wedding.

(Special to The Times-Dispatch.)

WINCHESTER, Va., September 21.—The marriage in Winchester to-day of D. J. Whitacre, a prominent Frederick county farmer, and Miss Mabel Marpole, was a surprise to friends and relatives of the couple. The groom is forty-five years of age, and the bride but sixteen.

Ward-Hood.

(Special to The Times-Dispatch.)

POCAHONTAS, Va., Sept. 21.—Dr. Lillburn E. Ward, a popular young dentist of Pocahontas, left Sunday for Culpeper, Va., where he will be married to-day to Miss Nellie Hood, daughter of Mr. Charles Harbour Hood, of Culpeper. Mr. H. M. Underhill and Miss Ella Brown have also gone to attend the wedding, the former as best man and the latter as maid of honor. A large wagon was found some distance down the mountain at a water trough.

The unfortunate old man never regained consciousness, and the sad particulars of the fatal occurrence will ever remain untold. Death resulted in about twenty-four hours.

KILLED ON MOUNTAIN.

J. H. Wooddell Loses Life Where Others Had Been Killed Before.

(Special to The Times-Dispatch.)

MONTEREY, Va., Sept. 20.—As a result of an accident on Shenandoah mountain, the remains of a respected old Highland farmer were today laid to rest in this beautiful grove at McKendree church. Mr. John H. Wooddell had gone to Staunton with his horse and wagon, and was crossing the Shenandoah mountain by moonlight on his return. Mr. W. M. McNulty chanced to be crossing also, and while the two horses were passing, Mr. Wooddell's horse slipped and fell, striking Mr. Wooddell on the head. He was killed instantly.

This makes five teamsters who have met death while hauling over the Staunton and Parkersburg turnpike, one of the victims being a neighbor of Mr. Wooddell's. These five fatalities, however, have occurred at long intervals, and cover a period of many years.

Mr. Wooddell was, perhaps, sixty-five years of age, a married man, and several children, and was a well-to-do, respected citizen. His home was near McKendree church, between McDowell and Doe Hill.

A LOVING CUP FOR JUDGE SIMS

(Special to The Times-Dispatch.)

LOUISA, Va., Sept. 21.—Last night there was quite a gathering in the county clerk's office when a loving cup was presented to Judge F. W. Sims, who retired from the bench on January 21st, with the passing away of the old county clerk.

Mr. John G. May made the presentation speech in fitting words, paid a beautiful tribute to the impartial, manly way in which Judge Sims had performed the duties of his office, and pointed out Judge Sims as an example to the young men of Louisa, who, coming to the county as comparatively a stranger, had, by the high moral plane in which he lived his daily life and performed the duties of his office, won for himself the esteem, respect and love of all.

Judge Sims was visibly affected and accepted the cup with appropriate remarks, after which short addresses were made by Mr. R. L. Gordon and Mr. W. E. Bibb.

The cup is of chased silver and inscribed as follows: "Presented to Judge Frederick Wilmer Sims by members of Louisa County Bar, its officers and appreciative friends."

Mr. R. L. Gordon has resigned as commissioner of accounts of the Circuit Court of Louisa county, and Mr. John G. May has been appointed to fill his place.

Word has just reached here that Mr. W. H. Swift, who befriended Mrs. Baxter when on trial here for assaulting an officer, while returning home after the trial, and crossing a bridge over a swollen stream near Jackson, was swept away by the flood. Mr. Swift was on horseback and escaped uninjured, but the horse, a valuable animal and a thoroughbred, was caught in a wire fence and drowned.

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